

*Office Memorandum* • UNITED STATES GOVERNMENT

TO : Office of the General Counsel  
ATTN : [REDACTED] 25X1A9a  
THRU : EE/Admin  
FROM : Finance Division

DATE: 26 April 1954

SUBJECT: Requests that Annual Leave Charged be Retroactively Converted to Leave Without Pay in Order to Qualify for Home Leave

25X1A9a REF : [REDACTED] memorandum of 22 March 1954 (LS-7978) to Chief, Finance Division and EE/Admin, same subject.

**OGC HAS REVIEWED.**

1. Referenced memorandum denies authority, for three of four cases submitted, to retroactively convert periods of annual leave to leave without pay on the grounds that "the requests do not set forth any unusual circumstances, but only the avowed purpose of circumventing the conditions of (Section 5 (a) (3) (A) of the CIA Act of 1949)".

2. The undersigned was the Finance Officer at the Station involved and at the time involved and feels that unusual circumstances did exist. [REDACTED] dated 2 April 1953 erroneously advised the [REDACTED] that LWOP could not be granted to employees until all accrued annual leave had been used. This decision was questioned by the undersigned, was discussed with [REDACTED] of the Office of the General Counsel, who likewise did not agree with the interpretation, and was submitted for re-consideration by [REDACTED] dated 10 April 1953 (copy attached). [REDACTED] advising that LWOP could be granted to an employee having an annual leave balance, was dispatched to [REDACTED] on 7 May 1953.

3. Therefore, (contrary to Paragraph 2 of referenced memorandum) prior to mid May 1953, the employee could not specify whether a period of absence would be charged to annual leave or leave without pay, but so long as he had an annual leave balance, was required to charge planned periods of absence to annual leave. In view of this denial of choice to the employee, it is felt that prior to mid May 1953, the conversion of periods of annual leave to leave without pay is justified.

4. It is requested that the four cases involved be provided further consideration in view of the additional facts presented herewith.

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[REDACTED]  
Deputy Chief, Finance Division

Attachment

FD/CND:mfh